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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jon M. Bishay, Paul C. Leonard, and Jay M. Miazga  
Application No. : 09/751,382  
Filed : December 29, 2000  
For : APPARATUS AND METHOD FOR COUPLING  
THERAPEUTIC AND/OR MONITORING EQUIPMENT TO A  
PATIENT

Art Unit : 3762

Docket No. : 33734-8004US1

Commissioner for Patents  
Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73  
AND POWER OF ATTORNEY

Sir:

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, a copy of which is enclosed, hereby elects under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Assignee hereby appoints JERRY A. RIEDINGER, Registration No. 30,582; MAURICE J. PIRIO, Registration No. 33,273; JOHN C. STEWART, Registration No. 40,188; MICHAEL D. BROADDUS, Registration No. 41,637; BRIAN P. MCQUILLEN, Registration No. 41,989; CATHERINE HONG TRAN, Registration No. 43,960; ROBERT G. WOOLSTON, Registration No. 37,263; PAUL T. PARKER, Registration No. 38,264; JOHN M. WECHKIN, Registration No. 42,216; CHRISTOPHER DALEY-WATSON, Registration No. 34,807; STEVEN D. LAWRENZ,

Registration No. 37,376; JAMES A.D. WHITE, Registration No. 43,985; FRANK ABRAMONTE, Registration No. 38,066; and EDWARD S. HOTCHKISS, Registration No. 33,904, of Perkins Coie LLP, as the principal attorneys with full power of substitution, association, and revocation to prosecute said application, to transact all business in the Patent and Trademark Office connected therewith, and to receive the letters patent therefor. Please direct all correspondence to Customer Number 25096.

Bar Code:



25096

PATENT TRADEMARK OFFICE

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to Vertis Neuroscience, Inc. filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Vertis Neuroscience, Inc.

4/2/01  
\_\_\_\_\_  
Date

Alan Levy  
\_\_\_\_\_  
Alan Levy  
CEO

JMW:tdg

Enclosure:  
Copy of Assignment

## ASSIGNMENT

WHEREAS, we, Jon M. Bishay, Paul C. Leonard, and Jay M. Miazga ("ASSIGNORS"), having post office addresses of 16017 NE 169<sup>th</sup> Place, Woodinville, WA 98072; 22132 NE 133<sup>rd</sup> Street, Woodinville, WA 98072; and 6025 McKinley Pl. N, Seattle, WA 98103, respectively, are the joint inventors of an invention entitled "APPARATUS AND METHOD FOR COUPLING THERAPEUTIC AND/OR MONITORING EQUIPMENT TO A PATIENT," as described and claimed in the specification for which a continuation-in-part application for United States letters patent was filed on December 29, 2000 and assigned Application No. 09/751,382; this application is a continuation-in-part of U.S. Application No. 09/452,477, filed December 1, 1999, and U.S. Application No. 09/666,931, filed September 21, 2000, both of which are pending;

WHEREAS, Vertis Neuroscience, Inc. ("ASSIGNEE"), a corporation of the State of Washington having a place of business at 2101 Fourth Avenue, Suite 200, Seattle, WA 98121, is desirous of acquiring the entire right, title, and interest in and to the invention and in and to any patents that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ASSIGNORS hereby sell, assign, and transfer unto ASSIGNEE, its legal representatives, successors, and assigns, the entire right, title and interest in and to the invention as set forth in the above-mentioned application, including any continuations, continuations-in-part, divisions, reissues, re-examinations, or extensions thereof, any other inventions described in the application, and any and all patents of the United States of America and all foreign countries that may be issued for the invention, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from the United States application to which foreign applications are entitled by virtue of international convention, treaty or otherwise, the invention, application and all patents on

the invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer, and sale not been made.

UPON THE ABOVE-STATED CONSIDERATIONS, ASSIGNORS agree to not execute any writing or do any act whatsoever conflicting with this assignment, and at any time upon request, without further or additional consideration but at the expense of ASSIGNEE, execute all instruments and documents and do such additional acts as ASSIGNEE may deem necessary or desirable to perfect ASSIGNEE's enjoyment of this grant, and render all necessary assistance required for the making and prosecution of applications for United States and foreign patents on the invention, for litigation regarding the patents, or for the purpose of protecting title to the invention or patents therefor.

ASSIGNORS authorize and request the Commissioner of Patents and Trademarks to issue any Patent of the United States that may be issued for the invention to ASSIGNEE.

4/2/01  
Date  
State of WASHINGTON)  
County of KING)

Jon M. Bishay  
Jon M. Bishay  
ss.

I certify that I know or have satisfactory evidence that Jon M. Bishay is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated April 2, 2001  
Signature of Notary Public Charlene M. Anderson  
Printed Name CHARLENE M. ANDERSON  
My appointment expires 7-15-03

March 26, 2001  
Date  
State of Washington  
County of King  
Paul C. Leonard  
ss.

I certify that I know or have satisfactory evidence that Paul C. Leonard is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated April 2, 2001  
Signature of Notary Public Charlene M. Anderson  
Printed Name CHARLENE M. ANDERSON  
My appointment expires 7-15-03

4/2/01  
Date  
State of WASHINGTON  
County of KING  
Jay M. Miazga  
ss.

I certify that I know or have satisfactory evidence that Jay M. Miazga is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated April 2, 2001  
Signature of Notary Public Charlene M. Anderson  
Printed Name CHARLENE M. ANDERSON  
My appointment expires 7-15-03